

Article 3

The Contracting Parties shall in mutual trade refrain from applying discriminatory measures, and from introducing quantitative restrictions or equivalent measures on the export and/or import of commodities within the framework of the present Agreement.

The Parties may set the quantitative restrictions, mentioned in this Article, under unilateral procedure, and within reasonable limits and for a clearly defined time only in cases of:

- acute shortage of commodities on the domestic market, during the stabilization of the situation on the market, or
- acute balance of payments deficit before the stabilization of the balance of payments, or
- import of commodities into the territory of one of the Parties in such increased quantities and on such terms that cause or threaten to cause damage to domestic producers of similar or directly competitive commodities, or
- in order to take measures provided for in Article 4 of the present Agreement.

The Contracting Party that applies quantitative restrictions under the present Article shall as far as possible provide to the other Contracting Party in good time full information about the main reasons for introducing the referred to restrictions in the due form and for the foreseen periods of their application, after which it shall appoint consultations.

Article 4

The Contracting Parties agree that the issues related to the reexport of commodities shall be regulated by the Agreement on the Reexport of Commodities and the Procedure of Issuing Permits for Reexport of April 15, 1994, which was concluded at the Council of the Heads of Governments of the Commonwealth of Independent States in Moscow.

Article 5

The Contracting Parties shall exchange on a regular basis information about:

- laws and statutory acts related to economic activity, including on issues of trade, investment, taxation, banking, insurance, financial services, as well as on issues of transport and customs, customs statistics included.

The Contracting Parties shall without delay notify each other about the changes in national legislation that may impact on the performance of the present Agreement.

The authorized agencies of the Contracting Parties shall conciliate the procedure for exchanging such information.

Article 6

The Contracting Parties shall recognize unfair business practices as being incompatible with the purposes of the present Agreement and shall undertake not to resort, in particular, but not exclusively, to such of their methods:

- agreements between enterprises, decisions made by associations of enterprises, as well as joint methods of business practices that aim to hinder or restrict competition or violate the terms for it on the territories of the Contracting Parties;

文章 3

缔约方在相互贸易中应避免采取歧视性措施, 并避免在本协议框架内对商品的出口和/或进口实行数量限制或同等措施。

缔约方可以单方面程序设定本条提到的数量限制, 仅在合理限度内且仅限明确的时间段内, 在以下情况下:

- 商品在国内市场严重短缺, 在市场情况稳定期间, 或
- 严重国际收支赤字, 在国际收支稳定之前, 或
- 商品进口到一方领土, 数量增加且条件导致或威胁导致损害相似或直接竞争商品国内生产者, 或
- 为了采取本协定第4条规定的措施。

根据本协定实施数量限制的缔约方应当尽可能及时以适当形式向其他缔约方提供有关实施所提及限制的主要原因的充分信息, 并说明其预期适用期限, 此后应当举行磋商。

第4条

缔约方同意, 与商品再出口有关的问题应由商品再出口协定和1994年4月15日于莫斯科独立国家联合体政府首脑理事会签署的关于商品再出口许可证发放程序协定加以规定。

第5条

缔约方应当定期交换以下方面的信息:

- 与经济活动相关的法律和法规, 包括贸易、投资、税收、银行、保险、金融服务以及运输和海关相关的问题, 海关统计包括在内。

缔约方应立即相互通知可能影响本协定履行的国家立法的变化。

缔约方的授权机构应协调交换此类信息的程序。

第六条

缔约方应承认不公平商业行为与本协定之目的不相容, 并应承诺不采取, 尤其是但不限于, 其下述方法:

- 企业间协议, 企业协会作出的决定, 以及旨在妨碍或限制竞争或违反其在缔约方领土上的条款的联合商业方法;

- actions by which one or several enterprises use their dominating status, restricting competition on the entire or a substantial part of the Contracting Parties' territories.

Article 7

When effecting measures of tariff and nontariff regulation of bilateral economic relations, for the exchange of statistical information and for conducting customs procedures, the Contracting Parties shall apply the uniform nine-digit classification of foreign trade commodities (CFTC) based on the Harmonized System of Description and Coding of Commodities and the combined tariff-statistical classification of the European Union. For their own needs the Contracting Parties shall, when necessary, develop the commodity classification beyond the nine-digit limit.

A model copy of commodity classification shall be maintained on the basis of mutual agreement through the existing missions at corresponding international organizations.

Article 8

1. The Contracting Parties agree that abidance by the principle of free transit is an important condition for achieving the purposes of the present Agreement and an essential element in the process of their linkup with the system of international division of labor and cooperation.

In this connection, each Contracting Party shall ensure unhindered transit through its territory of commodities originating from the customs territory of another Contracting Party and/or third countries and intended for the customs territory of the other Contracting Party or any third country, except for the commodities that are completely prohibited from being imported or require a special permit in compliance with the national legislation of each of the Contracting Parties, and provide to exporters, importers or carriers all the available and required facilities and services for transit on terms that are not worse than those on which the very same facilities and services are provided to their own exporters, importers or carriers of any third country.

2. The procedure and terms of transit of freight through the territory of states shall be regulated in compliance with international carriage rules.

Article 9

The present Agreement shall not preclude the right of any of the Contracting Parties from taking measures generally accepted in international practice, which it considers necessary for the protection of its vital interests or which are undoubtedly necessary for the performance of the international treaties to which it is a party or intends to be a party, if these measures concern the following:

- information that affects the interest of national defense;
- trade in weapons, ammunition and materiel;
- research or production related to the needs of defense;
- delivery of material and equipment used in the nuclear industry;
- protection of public morals and public order;
- protection of industrial or intellectual property;
- gold, silver or other precious metals and stones;
- protection of the health of people, animals and plants.

Article 10

- 一个或多个企业利用其支配地位，在缔约方全部或大部分领土上限制竞争的行为。

第七条

在实施双边经济关系的关税和非关税规制措施、交换统计信息和开展海关程序时，缔约方应根据商品描述和编码协调制度以及欧盟关税统计分类，采用统一九位制外贸商品分类（CFTC）。为满足自身需要，缔约方在必要时可将其商品分类扩展至九位制之外。

商品分类的样本副本应根据相互协议，通过在相应国际组织中的现有使团进行维护。

第八条

1. 缔约方同意，遵守自由过境原则是实现本协定之目的的重要条件，也是其与国际分工与合作体系接轨过程中的一个必要要素。

为此，每一缔约方应确保源自另一缔约方海关领土和/或第三国海关领土、并运往另一缔约方海关领土或任何第三国海关领土的商品在其领土内畅通无阻地过境，但完全禁止进口的商品或需根据每一缔约方国家立法获得特别许可的商品除外，并应向出口商、进口商或承运人提供所有可用且必需的过境设施和服务，其条件不得劣于其向自身出口商、进口商或任何第三国出口商、进口商或承运人提供的同类设施和服务的条件。

2. 通过缔约方领土运输货物的程序和条件应遵守国际运输规则。

第九条

本协议不应妨碍任何缔约方采取国际实践中普遍接受的措施的权利，这些措施是其认为对其重大利益保护所必需的，或者对其是缔约方或打算成为缔约方的国际条约的履行无疑是必需的，如果这些措施涉及以下内容：

- 影响国防利益的信息；
- 武器、弹药和物资贸易；
- 与国防需求相关的研发或生产；
- 核工业中使用的材料和设备的交付；
- 保护公共道德和公共秩序；
- 保护工业或知识产权；
- 黄金、白银或其他贵金属和宝石；
- 保护人类、动物和植物的健康。

Article 10